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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	M	ATTORNEY: DOCKEY NO.
09/643,685	08/24/00	HIROTA		

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QM12/1011
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EXAMINER
CHERUBIN, J

ART UNIT	PAPER NUMBER
3713	

7

10/11/01

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/643,685

Applicant(s)

HIROTA, MICHINORI

Examiner

Yveste G. Cherubin

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-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This office action is in response to the Application No. 09/643,685 filed on August 24, 2000 in which claims 1-5 are pending. This Application carries priority to the Japanese Application No. 238349 filed on August 25, 1999.

Claim Objections

2. Claim 6 is objected to because of the following informalities: The word "A" is missing in front of *game machine*. Appropriate correction is required.

Allowable Subject Matter

3. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

- a. Claims 1-2, 6-7 are rejected under 35 U.S.C. 102(a) as being anticipated by Okada (US Patent No. 4,715,604 - referred to hereinafter as Okada'604).

As per claims 1 and 2, Okada' 604 discloses a slot machine comprising a display and shift or move means for moving or shifting and displaying various kinds of symbols on a set of reels, as shown in Fig 1. During a game, each reel is caused to rotate and is stopped at one of the possible stop positions in each of which it displays corresponding

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symbols neighboring to each other, as shown in Fig 1, to a player through a window or an easy-viewable profile. When all the reels stop, a win decision is made based on the combinations of symbols stopping on the winning line or lines. For example, a predetermined set of symbol combination consisting of three symbols arranged on a prize winning line after the reels have stopped is considered as a predetermined specified symbol mark that allows players to win and collect coins corresponding to the winning line. As per claims 6-7, Okada '604 discloses a slot machine comprising of a plurality of rotation reels (see Fig 1), each having various kinds of symbols (see Fig 2), 2:22-28, also see elements (9, 10, 11) in Fig 2.

b. Claims 4-5 are rejected under 35 U.S.C. 102(a) as being anticipated by Okada (US Patent No. 5,083,785 – referred to hereinafter as Okada '785).

As per claims 4-5, Okada '785 discloses a slot machine capable of shifting and displaying symbols as shown in Fig 1. In reference to Fig 2, Okada '785 further discloses a random generator (25) that generates at random numerical values included in a series of integers ranging from "1" to "4096"; a random number sampler (26) for sampling the numerical values generated by the random number generator, 3:28-48; a storage means (29) for storing table data having a plurality of predetermined reference values, 3:49-50, 4:1-4; a stop control means (36) for controlling the stop of the shift and display means to have a set of symbols stopped and displayed on the basis of the winning state, 4:5-49. As shown in element (29) of Fig 2, Okada discloses different levels of winning states such as small win, middle or medium win, big win and no win.

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As shown in Fig 2, elements (22, 29) each winning state is associated with one random number in one game, thereby making it possible for small prizes winning states to be requested in one game unless big prize or medium prize winning state is requested. Unless a player generates a "7-7-7" or "bar-bar-bar" which is considered a big win and a medium win respectively, any other triple combination of one symbol will be considered as a small win which makes it apparent that a plurality of small prize winning states are changed in accordance with the game condition.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yveste G. Cherubin whose telephone number is (703) 306-3027. The examiner can normally be reached on 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

October 8, 2001

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MARK SAGER
PRIMARY EXAMINER

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.